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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE GOOGLE PLAY STORE
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

Epic Games, Inc. v. Google LLC et al.,
Case No. 3:20-cv-05671-JD

*In re Google Play Consumer Antitrust
Litigation*, Case No. 3:20-cv-05761-JD

State of Utah et al. v. Google LLC et al.,
Case No. 3:21-cv-05227-JD

Match Group, LLC et al. v. Google LLC et al.,
Case No. 3:22-cv-02746-JD

Case No. 3:21-md-02981-JD

**DECLARATION OF LAUREN
A. MOSKOWITZ IN SUPPORT OF
PLAINTIFFS' ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
ANOTHER PARTY'S MATERIAL
SHOULD BE SEALED PURSUANT TO
CIVIL LOCAL RULE 79-5**

Judge: Hon. James Donato

I, Lauren A. Moskowitz, declare as follows:

1. I am a Partner at Cravath, Swaine & Moore LLP, counsel to Epic Games, Inc. (“Epic”) in the above-captioned actions. I am admitted to appear before this Court *pro hac vice*.

2. I have personal, first-hand knowledge of the facts set forth in this Declaration. If called as a witness, I could and would competently testify to these facts under oath.

3. Portions of Plaintiffs’ Supplemental Brief on Google’s Chat Production (“Plaintiffs’ Brief”) and exhibits to the Declaration of John D. Byars (“Byars Declaration”) are sourced from materials that Defendants Google LLC, Google Ireland Limited, Google Commerce Limited, Google Asia Pacific Pte. Limited, and Google Payment Corp. (collectively, “Google”), have designated as “CONFIDENTIAL” and “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” pursuant to the operative Protective Orders entered by the Court, Case No. 3:21-md-02981-JD, ECF Nos. 247, 248, and 249. The following table shows the portions of Plaintiffs’ Brief and the exhibits to the Byars Declaration that contain information designated as “CONFIDENTIAL” and “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY”.

| Document | Corresponding Page and Line Number(s) | Designating Party |
|-------------------|--|-------------------|
| Plaintiffs’ Brief | Page 1, lines 17-18, between “immediately wrote: “” and “.” ¹ ” | Google |
| Plaintiffs’ Brief | Page 1, lines 18-19, between “Mr. Pichai” and “. (Byars” | Google |
| Plaintiffs’ Brief | Page 1, lines 20-21, between “under oath” and “” (<i>Id. Ex.</i> ” | Google |
| Plaintiffs’ Brief | Page 2, line 20, between “GOOG-PLAY5-000436389 (“” and “”) And it” | Google |
| Plaintiffs’ Brief | Page 3, lines 3-4, between “Development Manager about” and “. Despite” | Google |
| Plaintiffs’ Brief | Page 3, line 4, between “acknowledging the “” and “, she” | Google |
| Plaintiffs’ Brief | Page 3, line 5, between “boasted: “” and “” When” | Google |
| Plaintiffs’ Brief | Page 3, line 6, between “her colleague” and “, she” | Google |
| Plaintiffs’ Brief | Page 3, lines 6-7, between “stated: “” and “” She” | Google |

| Document | Corresponding Page and Line Number(s) | Designating Party |
|-------------------|---|-------------------|
| Plaintiffs' Brief | Page 3, lines 7-9, between "then wrote: "" and "" Then the on-the-record" | Google |
| Plaintiffs' Brief | Page 3, line 18, between "in one Chat," and ". One" | Google |
| Plaintiffs' Brief | Page 3, lines 19-20, between "requested: "" and "" The other" | Google |
| Plaintiffs' Brief | Page 3, line 20, between "responded "" and ""—referring" | Google |
| Plaintiffs' Brief | Page 3, line 22, between "know what "" and "" was discussed" | Google |
| Plaintiffs' Brief | Page 3, footnote 2, between "GOOG-PLAY5-000163578 ("" and ""); <i>id. Ex.</i> " | Google |
| Plaintiffs' Brief | Page 3, footnote 2, between "GOOG-PLAY5-000374365 ("" and "").)" | Google |
| Plaintiffs' Brief | Page 4, line 7, between "whether they were "" and "" to talk" | Google |
| Plaintiffs' Brief | Page 4, lines 7-9, between "about" and ". A Google employee" | Google |
| Plaintiffs' Brief | Page 4, lines 9-10, between "that because "" and "" Google employees" | Google |
| Plaintiffs' Brief | Page 4, line 10, between "should "" and "" warning" | Google |
| Plaintiffs' Brief | Page 4, lines 11-12, between "that "" and "" (<i>Id. Ex.</i> " | Google |
| Plaintiffs' Brief | Page 4, line 15, between "Programs started a "" and "" Chat to" | Google |
| Plaintiffs' Brief | Page 4, line 15, between "discuss" and ". Almost immediately" | Google |
| Plaintiffs' Brief | Page 4, lines 16-18, between "she wrote: "" and "" Google's Director" | Google |
| Plaintiffs' Brief | Page 4, line 20, between "why Google had" and "" The on-the-record" | Google |
| Plaintiffs' Brief | Page 4, lines 24-25, between "warned the group: "" and "" When others continued" | Google |
| Plaintiffs' Brief | Page 4, lines 26-27, between "warned again: "" and "" (<i>Id. Ex.</i> " | Google |
| Plaintiffs' Brief | Page 4, line 28, to page 5, line 3, between "Google employees discussed" and ". A Sales Strategy Manager" | Google |

| Document | Corresponding Page and Line Number(s) | Designating Party |
|-------------------|---|-------------------|
| Plaintiffs' Brief | Page 5, lines 5-6, between "wrote: "" and "" She" | Google |
| Plaintiffs' Brief | Page 5, line 7, between "then wrote: "" and "" The other" | Google |
| Plaintiffs' Brief | Page 5, line 8, between "employee" and ". While the Sales" | Google |
| Plaintiffs' Brief | Page 5, line 9, between "prepared to discuss" and "in this Chat" | Google |
| Plaintiffs' Brief | Page 5, line 11, between "an employee" and ", and the" | Google |
| Plaintiffs' Brief | Page 5, line 13, between "YouTube, stating: "" and "" A Software Engineer" | Google |
| Plaintiffs' Brief | Page 5, line 14, between "who apparently" and ", responded: "" | Google |
| Plaintiffs' Brief | Page 5, lines 14-15, between ", responded: "" and "" A Product Manager" | Google |
| Plaintiffs' Brief | Page 5, line 15, between "then referenced "" and "" and the on-the-record" | Google |
| Plaintiffs' Brief | Page 5, footnote 3, between "off-the-record Chat regarding" and "); <i>id. Ex.</i> " | Google |
| Plaintiffs' Brief | Page 5, footnote 3, between "off-the-record Chat regarding" and ", evidence that helps" | Google |
| Plaintiffs' Brief | Page 5, footnote 3, between "preservation; for example," and "(<i>id. Ex.</i> " | Google |
| Plaintiffs' Brief | Page 5, footnote 3, between "GOOG-PLAY5-000389043)), or to" and "(<i>id. Ex.</i> " | Google |
| Plaintiffs' Brief | Page 5, footnote 3, between "GOOG-PLAY5-000168593, because "" and ""))". | Google |
| Plaintiffs' Brief | Page 6, line 21, between "restraints that Plaintiffs challenge: " and ". Before the conversation" | Google |
| Plaintiffs' Brief | Page 6, line 22, between "Program Manager wrote: "" and "" A Senior Software Engineer" | Google |
| Plaintiffs' Brief | Page 6, line 23, between "Team Lead clarified: "" and "" The on-the-record portion" | Google |
| Plaintiffs' Brief | Page 6, line 25, between "Chat by asking: "" and "" one of the Android" | Google |

| Document | Corresponding Page and Line Number(s) | Designating Party |
|-------------------|--|-------------------|
| Plaintiffs' Brief | Page 6, line 26-27, between "Product Manager asked: "" and "" A Group Product Manager" | Google |
| Plaintiffs' Brief | Page 6, lines 27-28, between "volunteered: "" and "" (<i>Id. Ex.</i> " | Google |
| Plaintiffs' Brief | Page 7, line 1, between "employees created a "" and "Chat with history" | Google |
| Plaintiffs' Brief | Page 7, line 2, between "warned the group: "" and "" The Lead" | Google |
| Plaintiffs' Brief | Page 7, line 2, between "Google Photos asked: "" and "" The on-the-record" | Google |
| Plaintiffs' Brief | Page 7, line 4, between "pasted a link about" and "and wrote: "" | Google |
| Plaintiffs' Brief | Page 7, lines 4-5, between "and wrote: "" and "" This comment" | Google |
| Plaintiffs' Brief | Page 7, line 5, between "discussion about" and ". A Software Engineer" | Google |
| Plaintiffs' Brief | Page 7, lines 5-6, between "Engineer wrote: "" and "" The Senior Software" | Google |
| Plaintiffs' Brief | Page 7, line 6, between "Engineer agreed: "" and "" Another Software" | Google |
| Plaintiffs' Brief | Page 7, lines 6-7, between "Engineer agreed: "" and "" And a Program" | Google |
| Plaintiffs' Brief | Page 7, lines 7-9, between "Manager wrote: "" and "" The Chat" | Google |
| Plaintiffs' Brief | Page 7, lines 10-13, between "threaded room Chat: "" and "" He then asked" | Google |
| Plaintiffs' Brief | Page 7, line 13, between "the group: "" and "" A YouTube Gaming" | Google |
| Plaintiffs' Brief | Page 7, line 14, between "employee wrote: "" and "" A Software Engineer" | Google |
| Plaintiffs' Brief | Page 7, line 15, between "Engineer reacted: "" and "" Another employee" | Google |
| Plaintiffs' Brief | Page 7, line 15, between "employee wrote: "" and "" The Chat abruptly" | Google |
| Plaintiffs' Brief | Page 7, lines 17-18, between "OS, sent others "" and "" A Manager" | Google |
| Plaintiffs' Brief | Page 7, lines 18-19, between "asked for the "" and "" She then" | Google |

| Document | Corresponding Page and Line Number(s) | Designating Party |
|-------------------|---|-------------------|
| Plaintiffs' Brief | Page 7, lines 19-20, between "then asked: "" and "" The first" | Google |
| Plaintiffs' Brief | Page 7, line 20, between "employee wrote: "" and "" Another" | Google |
| Plaintiffs' Brief | Page 7, lines 20-21, between "confirmed: "" and "" The employee" | Google |
| Plaintiffs' Brief | Page 7, lines 21-22, between "warned that "" and "" (<i>Id. Ex.</i> " | Google |
| Plaintiffs' Brief | Page 7, line 25, between "decision by writing: "" and "" The Strategy" | Google |
| Plaintiffs' Brief | Page 7, line 25, between "Manager responded "" and "" at which point" | Google |
| Plaintiffs' Brief | Page 7, lines 27-28, between "and asked about "" and ". A Product Manager" | Google |
| Plaintiffs' Brief | Page 7, line 28, between "quickly responded: "" and "" An Android engineer" | Google |
| Plaintiffs' Brief | Page 7, line 28, between "engineer responded "" and "" A Senior Product" | Google |
| Plaintiffs' Brief | Page 7, line 28, to page 8, line 1, between "Manager wrote: "" and "" Everyone then left" | Google |
| Plaintiffs' Brief | Page 8, lines 2-3, between "Chat by stating: "" and "" and asked for" | Google |
| Plaintiffs' Brief | Page 8, line 4, between "engineer responded: "" and "" Another" | Google |
| Plaintiffs' Brief | Page 8, lines 4-5, between "wrote: "" and "" (<i>Id. Ex.</i> " | Google |
| Plaintiffs' Brief | Page 8, lines 6-7, between "created a Chat "" and "" Another employee" | Google |
| Plaintiffs' Brief | Page 8, lines 7-8, between "employee wrote: "" and "" (<i>Id. Ex.</i> " | Google |
| Plaintiffs' Brief | Page 8, lines 9-10, between "began a Chat: "" and "" A Design" | Google |
| Plaintiffs' Brief | Page 8, line 10, between "Android replied: "" and "" The conversation" | Google |
| Plaintiffs' Brief | Page 8, lines 12-13, between "wrote immediately: "" and "" A Software Engineer" | Google |
| Plaintiffs' Brief | Page 8, line 13, between "" A Software Engineer" and "" Another Software" | Google |

| Document | Corresponding Page and Line Number(s) | Designating Party |
|-------------------|---|-------------------|
| Plaintiffs' Brief | Page 8, line 14, between "Engineer wrote: "" and "" The Chat" | Google |
| Plaintiffs' Brief | Page 8, line 16, between "Google employee wrote: "" and "" In the second" | Google |
| Plaintiffs' Brief | Page 8, line 17, between "Safety, confirmed: "" and "" (<i>Id. Ex.</i> " | Google |
| Plaintiffs' Brief | Page 8, lines 18-19, between "Chat by asking: "" and "" A Director" | Google |
| Plaintiffs' Brief | Page 8, lines 19-20, between "Management, responded: "" and "" A Group Product" | Google |
| Plaintiffs' Brief | Page 8, line 20, between "Manager replied: "" and "" The Group Product" | Google |
| Plaintiffs' Brief | Page 8, line 21, between "Manager concluded: "" and "" A Director" | Google |
| Plaintiffs' Brief | Page 8, line 21, between "Management, agreed: "" and "" The Group" | Google |
| Plaintiffs' Brief | Page 8, lines 22-23, between "then decided: "" and "" He then" | Google |
| Plaintiffs' Brief | Page 8, line 23, between "pasted a link "" and "" and the on-the-record" | Google |
| Plaintiffs' Brief | Page 8, lines 24-25, between "Engineer quickly asked: "" and "" Another Software" | Google |
| Plaintiffs' Brief | Page 8, line 25, between "Engineer wrote: "" and "" and then pasted" | Google |
| Plaintiffs' Brief | Page 8, line 25, between "stating it was "" and "" that he could" | Google |
| Plaintiffs' Brief | Page 8, lines 27-28, between "Projects then suggested: "" and "" The on-the-record" | Google |
| Plaintiffs' Brief | Page 9, line 1, between "an article about" and ". A Staff Privacy" | Google |
| Plaintiffs' Brief | Page 9, line 1, between "quickly warned: "" and "" The Senior Director" | Google |
| Plaintiffs' Brief | Page 9, line 2, between "Security, wrote: "" and "" An employee" | Google |
| Plaintiffs' Brief | Page 9, line 2, between "employee asked "" and "" to which" | Google |
| Plaintiffs' Brief | Page 9, lines 3-4, between "another replied: "" and "" Another wrote" | Google |

| Document | Corresponding Page and Line Number(s) | Designating Party |
|--------------------|--|-------------------|
| Plaintiffs' Brief | Page 9, lines 4-5, between "Another wrote: "" and "" (<i>Id.</i> Ex." | Google |
| Plaintiffs' Brief | Page 9, lines 20, between "Google employees who" and ". ⁵ " | Google |
| Plaintiffs' Brief | Page 9, footnote 5, between "Mr. Lim: "" and """); <i>id.</i> Ex." | Google |
| Plaintiffs' Brief | Page 9, footnote 5, between "Mr. Lim: "" and """)." | Google |
| Byars Decl. Ex. 1 | Document in its entirety. | Google |
| Byars Decl. Ex. 2 | Document in its entirety. | Google |
| Byars Decl. Ex. 3 | Document in its entirety. | Google |
| Byars Decl. Ex. 4 | Document in its entirety. | Google |
| Byars Decl. Ex. 5 | Document in its entirety. | Google |
| Byars Decl. Ex. 6 | Document in its entirety. | Google |
| Byars Decl. Ex. 7 | Document in its entirety. | Google |
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| Byars Decl. Ex. 16 | Document in its entirety. | Google |
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| Byars Decl. Ex. 25 | Document in its entirety. | Google |
| Byars Decl. Ex. 26 | Document in its entirety. | Google |
| Byars Decl. Ex. 27 | Document in its entirety. | Google |
| Byars Decl. Ex. 28 | Document in its entirety. | Google |

| Document | Corresponding Page and Line Number(s) | Designating Party |
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| Byars Decl. Ex. 29 | Document in its entirety. | Google |
| Byars Decl. Ex. 30 | Document in its entirety. | Google |
| Byars Decl. Ex. 31 | Document in its entirety. | Google |
| Byars Decl. Ex. 32 | Document in its entirety. | Google |
| Byars Decl. Ex. 33 | Document in its entirety. | Google |
| Byars Decl. Ex. 34 | Document in its entirety. | Google |
| Byars Decl. Ex. 35 | Document in its entirety. | Google |

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that I executed this declaration on March 14, 2023 in Short Hills, NJ.

/s/ Lauren A. Moskowitz
Lauren A. Moskowitz

E-FILING ATTESTATION

I, Lauren A. Moskowitz, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(h)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

/s/ Lauren A. Moskowitz

Lauren A. Moskowitz